

Interview with Thora Espinet

Transcript

For the Diversifying the Bar: Lawyers Make History Project

Law Society of Upper Canada

Interviewee: Thora Espinet [TE]

Interviewer: Allison Kirk-Montgomery [AKM]

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Transcribed by E. Kirk, edited by Allison Kirk-Montgomery

AKM: Today is St. Patrick's Day, March 17th, 2011 and I'm at the law office of Thora Espinet on Duncan Mill Road in North York. I'm here as part of the Diversifying the Bar, Lawyers Make History project on behalf of the Law Society of Upper Canada. My name is Allison Kirk-Montgomery. The project's intent is to capture and celebrate some of the experiences and lives of early and exceptional lawyers of diverse communities in Ontario. That's why I'm here, to interview Thora Espinet, one of the earliest Black women lawyers in Ontario, one of a very few at the time that she was called to the bar in 1984. I'd like to go back to

beginnings, your beginnings actually, Thora. Can you tell me a little bit about your background, where you were born, your family?

TH: Yes, I was born in a small place called Ritchies, it's a very small district, and it's in the parish of Clarendon in Jamaica. I am the second of seven children but I was raised with two other relatives, two other first cousins, because their parents died. So in Jamaica we have an extended family. If somebody dies, we don't have foster homes there, so a relative takes them in. So when we were born, we had two cousins already living there so they were like our big brothers.

My mother, she was very progressive. My parents, they were really great. We were raised with my grandmother because my mother and my father lived with my grandmother. Of course, while they worked, my grandmother took care of us. She really instilled great values in us. And I think my mother was a lot like her. We talk a lot, we fight a lot, we like fairness. I remember very, very happy days when we used to go to church with my grandmother. My mother was in the choir. My father was a tailor. He would come home at nights (he had his own business) and especially at Christmas he would be very late coming home and he'd come in our room and leave little cookies on the bed. During the mango season he would set a whole cart of full of mangoes for us. So we really had a really great time.

And then, I don't know how it came about, but you know these things happen, all of a sudden they decided they would go to England. I know though that the reason why they went to England was because they thought it would be

better for us. I think at that time England was recruiting a lot of people from West Indies to go there, mainly to work on the railways and the buses.

AKM: What year was that?

TE: It was about 1953.

AKM: And you'd be ... ten?

TE: I'd be about twelve or thirteen. So my father went and then he sent for my mother shortly thereafter. Then we followed in the track. When my father went to England it was really, really hard for him. I have to say that this is one of the things that sort of motivate me, the things that he do. When I think about what they went through, if you talk to my father today or my brother, they would know every single street in London. Because they had get the bus to go everywhere, there weren't the cars. He did not get a job in England as a tailor. He had to work in a factory. That wasn't great for him as he made the greatest suits. Even when my brothers came along, nobody wore store-bought clothes. My father made all the clothes so that was something that sort of sneaked into us as well. We all sew. My younger sister is a designer in England. She has a lot of big stars as customers. She does very well.

Then for my mother, the most important thing (for both of my parents), was, "We have to do it, we have to do it." "If" was never used in our house—it was always "when." I remember when we first went to England, there was a lot of racism there. I started to go to school in a place called Bermondsey. That was where my father worked, in that area, in London, England.

It was so funny at school, because the words that people used were so different from the words that you knew. One girl used to call me 'sooty,' and I never heard the word before.

AKM: Sooty?

TE: Sooty meant Black, and I had never heard the word before, you know?

AKM: Did you know it was a racist term?

TE: I found out later. All of these things we found out later—people find excuses for everything. We were not embraced in this school, because I think there were two of us [Blacks] in this school. We were not really embraced. But we couldn't go home and say to my mom, "I'm not learning because people don't like me." They would say to us, "We didn't send you to school to be liked. We send you to school to learn. You have to be 200 percent, you can't be a shoddy finish." We were raised like that—all of us.

My father died in '97 and my mother died in 2001. I think that they died happily knowing that all their children had achieved. My three brothers are all engineers. One of my sisters is a social worker. One of my sisters is a secretary. Of course, I'm a lawyer and my sister is a designer. So they all made it and all our children are university graduates. This is really one of these things that you didn't see. My parents in their home had what they called a motivational wall. (We still have that house in England.) And my mother would put up the picture of everybody who passed their university year, round the fireplace. And every child

that walked into that house [saw it]; everybody had to be up on that wall. Not only that, we all mentored children around us. My sister, we would take these kids there and say, “I am up there, you can be there too.” So that was something we did.

After my mother died, I went through her documents. We lived in a sort of upscale place in London. My sister went to a very good school and also my son went there when he went back to England. But to get people into good schools, you had to have a certain address. You know that England’s [educational system] is by postal code?

AKM: Yes.

TE: And when I went through my mother’s things, I was amazed at the number of thank you letters that women had. It was so amazing. My mother, [laughter]— maybe it was illegal!—was giving all these people her address so they could get their children into the best schools. I even found birth certificates of people that I haven’t a clue who there are. You know?

AKM: And you didn’t know this was what she was doing to help.

TE: No, I didn’t know that was what she was doing. But she’s one of these people that—everybody liked her.

AKM: What was her name?

TE: My mother’s name was Mary Ellis. And she was this small [gesturing], but she was such a power. Everyone liked her. She has a very good friend, a barrister in England. (I really don’t know their background, but they became very,

very good friends. He just happens to have the same name as her maiden name, but he was some white fellow). When his mother died, he basically adopted her as his mother. We still keep in contact. So she was good. For her and my father what was most important, was that we had to achieve. So of course we had to work harder than everybody else because—you just had too.

AKM: Was it because you had to represent yourselves better?

TE: Yes! Because my mother would say, “I didn’t come to England because I didn’t like Jamaica. We came here because I wanted something better for you.” So it wasn’t that we could just sit there and hope that we could get by. You didn’t get by. I mean, in those days you couldn’t use your racism as an excuse for doing things. If you were planning to go to a school and you didn’t get in, you asked the question, Why? As I said, my brothers were engineers. Actually, my brother also taught. We all teach. Although we have different careers, we all taught. So my brother used to teach at Norwood college. (I’m not sure if it’s there anymore.) And he said, “If I can do it, you can do it.” So I joined the Engineering Science class and I was the only woman in the class—and I was doing quite well.

AKM: Did you like it?

TE: Yes, I liked it. And then something else changed and I left. And then of course I came to Canada.

AKM: A very remarkable family.

TE: Yes. You know, when my mother died in 2001, the minister said, “When you came to England, England was tough. But you didn’t get bitter, you got better.” I think that we’re all grateful for our parents for what they’ve done for us. I think the most important part is that they’ve seen all of us succeed. It really wasn’t easy, but we had fewer excuses than the children have nowadays.

[Laughter]

AKM: So when did you come to Canada and why?

TE: When I was in England, I wanted to be a nurse. But I was too young when I left school to enter into the nursing program. So I went and I worked for a short time at the Nursing Association. Then afterwards—I can’t remember why, but I just do these things by impulse—I joined the Royal Air Force! [laughter] I went to Singapore. I’ve had a crazy life. [Laughter] I was in Singapore for two years. So when I was in Singapore, I went to Hong Kong and I went to Japan, and all the places around there. You know, it was great.

AKM: Amazing, so how old were you then?

TE: I was under twenty though, because when I came here I was just twenty-two, I think, when I came to Canada.

AKM: Did the rest of your family stay in England?

TE: Yes, they stayed in England. And I went to Singapore. It was great out there. And then when I came back to England, I worked for British Airways.

AKM: What did you do?

TE: I was a reservations agent. So I worked for British Airways and while I was working there, a friend of mine decided she was coming to Canada, so I came to Canada on a holiday.

AKM: On impulse?

TE: Again, on impulse! And it was nice and clean, and I thought, “I must come here.” When I came here, initially I tried to get a job with Canadian Pacific Airlines, and I couldn’t get the job. So I thought, You know something, you can keep your job. And I made up my mind that I was not going to have anyone dictate to me if I eat, what I eat, how I eat, or where I live or what I do. I was going to make my own decisions. So, I went back to school. I went to York University in the evenings—and then—

AKM: What did you do to support yourself?

TE: I think I was working at Massey Ferguson. When I first came to Canada—people who first came to Canada are still asked the same question today. The question that they ask is, Do you have Canadian experience? There was an agency in England called PG Bureau, and they placed all the British people coming over here with agencies, with jobs in Canada. So when I came to Canada, I got my first job to get my Canadian experience at the Toronto Stock Exchange. The person who was in charge of the Stock Exchange at that time, I think was an Irish person, an Irish man. And then I left the TSE and I went and worked for Bell Canada.

AKM: Counter help, office work?

TE: Yes, I was doing office work. I was doing teletyping. (My son...said, "No one knows what that is anymore.") So I was working at Bell Telephone. Then I left Bell Telephone and I think I was working at Algoma Mines. So I was doing all these things, all non-related to law. I think the last job that I had was at Massey Ferguson. They were starting up a new company in Toronto and these people from Winnipeg came through. This fellow from Winnipeg, he was the supervisor, always kept asking me these legal questions. I thought, Why was this man asking me these questions? It doesn't make any sense. So he said to me, "When I come back to Ontario, you must be a judge." This was the strangest thing I ever heard as it was the last thing that was in mind.

As things have had it, I got married. My husband went to work for General Motors in London.

AKM: What year are we at now?

TE: I can't remember the year, probably the late '70s.

AKM: And you have your degree from York?

TE: Yes, I think I had my degree from York at that time, I can't remember. While I was there, I wasn't working. So I was looking through the college catalogue, I decided that, This course looks very interesting. So I went and did the Legal Office Administration course at Fanshawe College. And I did very, very well. I think it was a diploma course of two years but I did the course in one year. The teacher who taught me thought I'd worked in a law office but I had never

seen a law office before. He thought that I had the aptitude anyway. We were all in Windsor, my son too, at that time.

Then we came back to Toronto and I really couldn't get a job as a law clerk because at that time people didn't use them. We were neither fish nor fowl, you know? So it was difficult to get any position. Eventually, I got a position with Marva Jemmott.¹ I think Marva Jemmott was one of the very, very first Black lawyers. I left Marva Jemmott and I went to work with Charles Roach.² So when I went to work with Charles Roach, by this time, I'm all empowered! [Laughter] Coming from England didn't make it any less empowering, you know? So I thought I was sort of a step ahead of this brother. So I walked in and I was interviewed for the job. I said to him, "Before I take the job, I want to know who will be my supervisor and what I will be doing. Because I do not want fifty people telling me what to do."

He said to me, "Well, I've never heard anybody ask that question before." One thing he did say to me, he said, "You know, as a law clerk you might be the brightest person on earth, but you'll never get the prestige or you'll never get the money." I do not know what he was talking about in terms of the money, [laughter]—I still am looking for the money because the type of law I practice is not really the law where you make the money—

AKM: Family law.

¹ Marva Jemmott was called to the bar in 1971.

² Charles Roach (1933-2012), called to the bar in 1963, was a prominent Black civil rights lawyer and a proponent of African-Canadian heritage.

TE: Family law, and I do a lot of child welfare, so that's not an area where you make a lot of money. But I do it and I get a lot of satisfaction out of doing it. So that was stuck in the back of my head. I remember, one day I went down to Osgoode Hall to deliver something for Charles, and he was the only Black person sitting in that library. I thought to myself, You know something, you're not going to be sitting there by yourself for very long. I'm going to join you. So again, by impulse, I applied to law school, and applied to teacher's college [at the same time], went off to England for Christmas, as I'd been doing every year [since I came to Canada]. While I was there I was accepted both into teacher's college and into law school.

AKM: Now why did you apply to teacher's college?

TE: Because if I didn't get [into] one, I'd get [into] the other. And I knew I wanted to have a name career. Especially for my son. I think that is important. Being who I am—I am not only myself but I have to have something else to show people.

AKM: You are an example like your parents were an example to you.

TE: You know? So I discussed it with my family and said, "I'm going to do law." I came back on the Friday night, drove straight to Windsor early Saturday morning, trying to find a place to live. Then I went to law school with my son. I think my son was six at the time. My husband dropped us off and he then came back. We spent the entire day finding some place to live.

I think there was only two of us in law school who had children. One was Paula Edwards and the other one was me. Paula, I think, had three children. I had a lot of hard times in university, I had some really sticky times. But I have to say that the people that I went to law school with, were very, very good. She's the first person I met and we got on just like this [holding her hand up with two fingers together]. As a matter of fact, people would get us mixed up. People thought she was Thora Espinet and I was Paula Edwards, [laughter] because my last name was French and they just assumed that she was Thora Espinet.

I had a son who was going to school, to a private school that was really, really far away. We had classes starting at certain times, so you had to be at classes [early] and sometimes we had classes in the evening. You wouldn't believe it, all these people that I didn't know, all sitting up there, they changed the hours of the classes so that the classes would start later and finish earlier, so I could drop him off and pick him up!

I think I was the first person who took a child to law school. Ian used to go to university with me and sit at the back with his colouring pencils. He also went to law school. So he knows all the people that I went to law school with. Ian knows them. Even last night I was talking to him and saying, "Do you remember this person? Do you remember that person?" All the people at law school raised Ian. So, I had a bad time in certain respects but on another side, the people there were so good to me. Paula Edwards and another fellow by the name of Blaine Fedson, we were friends throughout and we're still friends. I still have contact with them. They would come to my house at night so we could study together

because I had a small child. Paula's husband was still in London in those years so he could look after their children. But Brian, my husband, was down here [in Toronto], where he was still working.

AKM: That sounds so difficult, separated from your husband too while you did that.

TE: It was funny because people said, "How did you do it?" At that time I [also] tutored a little native boy who was about ten years old but he couldn't read.

AKM: As a volunteer?

TE: As a volunteer. By the time I finished he could read because I found out what his interest was and he was interested in planes. So I got him things and he learned to read. I set up a program for another private school. Ian went to Beavers, he went to he went to piano lessons, he went to track and field. [laughter] You know, when you're doing these things, you do them but you really don't know how you did them. So then I finished law school.

AKM: Do you feel like talking about the harder aspects of law school?

TE: The harder aspects of law school was mostly in regard to—[pause] I had a teacher, I think he taught legal writing. He was [from] out of the province. I think he had never seen another Black person in his life. So I've never forgotten the first paper that we had to hand in. The paper was done between us—Paula and I worked together, and all the students worked together. Paula got an A and I got a C. Well, I'm going to tell you that we do not use that word "average" in our vocabulary. And we do not get a C for anything. (I wouldn't mind getting a C [if

that's what I deserved] because if that is what I get, it's what I get.) But you cannot mark two papers [differently] ...We compared our papers. And every question that she got wrong, I got wrong. But she got an A. So that caused a bit of controversy in the school.

AKM: You mean you caused controversy?

TE: No. Well, what happened was—Of course I complained about it.
[Interruption as Ian Espinet entered and is introduced to AKM.]

AKM: So you complained to the school about this discriminatory treatment.

TE: Oh yes, yes, because basically, what I did, I went to Paula and of course we compared our answers. She said, "Of course, we have to go and see about this." So we went in and we talked about it and the fellow made a big noise about it and said we had plagiarized and whatever, and it got to the attention of the dean. And the dean [of the law school, Ronald] Ianni, said. "I'm Italian, and I'm not having that in this university." So it went down and whatever. And then all of the students in my class said, "if you say that they plagiarizing, you'll have to say that we plagiarized as well. Because we all worked together."

AKM: Which is the reality of getting through law school.

TE: Because we all worked together. So in that way they were very, very supportive. As a matter of fact, several years ago in 2002, we had our twenty-fifth anniversary. And all of them were there and we were telling these stories of what had happened, and they said, "Oh my gosh, oh my gosh." It was really nice to

see them all again. And of course it was so great to see Paula as she's out in Vancouver now.

Then I finished law school. Articling time comes along. So I have to start articling. So I went around and I sent out resumes and I talked to people and I couldn't get a job anywhere. You know, it was really interesting because people in those days, they really felt free that they could insult you when you asked them for a job.

AKM: Because you were Black?

TE: Yes. And you know, you just could not get a job. It's really interesting because when I did my course [to become a law clerk] at Fanshawe College, the fellow who was the teacher of civil litigation said, "Thora, you know you're very smart. But you're going to have a lot of problem getting into the legal profession." And he was right. He said, "No matter how smart you are, you are still going to have a lot of problems." So I had a lot of problems.

AKM: Did you try Marva Jemmott or Charles Roach for articling?

TE: I can't remember if I tried them or not but I know that they didn't have any positions. Then Lloyd Perry, the Official Guardian as he was called at that time [now called the Public Guardian and Trustee, Office of the Public Guardian and Trustee, Ministry of the Attorney General, Ontario] gave me a position.³ This was important because we had to satisfy our requirements within that year,

³ Lloyd Perry, Q.C. (1919-1997), called to the bar in 1950, was one of the first Black lawyers in Ontario and one of the first Black lawyers to be appointed Q.C., in 1962. In 1995, he was appointed to the Order of Ontario.

otherwise you'd have to start over. It wasn't like now where they split it and you can do articles in different places.

I worked with a lady by the name of Elaine Freedman. She did the custody and the child welfare part for children. And then there was a lady there by the name of Miss Sinica.⁴ Miss Sinica [was], I think, was one of two women lawyers at the University of Toronto. So she went really, really way back. I think it's because of who she was and who we are [influenced by], why we do what we do. She was the smartest person I know. And even today, I have to blame her in that I do things fifty times instead of one like other lawyers, because she was a perfectionist. Because she was so tough, people didn't want to work with her. But I wanted to work with her because I could learn so much from her.

AKM: This is your articles.

TE: My articles at the Official Guardian's office. And she was really, really great. So I really learned a lot from her.

AKM: Is this when you got interested in child welfare issues or family—?

TE: No, I don't think it was—I really don't know. The only thing I know is that I had to represent children at the time. And I remember Mrs. Freedman saying that I seemed to have the aptitude to deal with the most difficult people, because some of the children we had to deal with at the time were really, really difficult, you know?

⁴ Sonia Joan Sinica, Q.C., called to the bar in 1960.

AKM: So in spite of having to search and being afraid of not getting it, it sounds like an excellent articling position.

TE: It was an excellent articling position but I think you have to work with what you have. I remember a Jewish girl saying to me, “There’s nothing on earth greater than being Black, a woman and Jewish.” I’m not Jewish but this is what she was saying. Because she said that all those things give you the motivation. Because once you know that the pressure is there, it gives you the motivation to work harder. And of course I have the background where you work, you work, you work, you do not give up. But you do not just work for yourself - you work also for the community. So while I was doing my articling, I was doing all sorts of things. There was a lot of community things going on, like the Urban Alliance [on Race Relations, founded 1975]. All these organizations were being formed because of racism, not just racism but police brutality and all those things were going on. I don’t why I did these things, got caught up in all these things—lobbying for employment equity, going into the schools for Black history things, I was making presentations to the House of Commons and the Meech Lake Accord. If you look in Hansard, you’ll see me, and I don’t know why I was in Hansard! [Laughter]

AKM: This is in the mid-80’s.

TE: Yes, the mid-80’s, you know. We were doing all these things in the 80’s. In 1986, we put on an excellent conference at Old City Hall. One of the topics there was Coalition for Employment Equity. That got us involved in equity issues.

AKM: And who was the coalition with?

TE: The coalition was with different groups, I can't remember which groups they were with. We worked on those [projects]. We were making presentations to everybody, for law schools, to get people into law schools and to get people's credentials to be recognized... It was a busy time. The thing is, we made these gains, and I think we did make gains, but I'm not quite sure that we're not losing them. Because, the thing is you have to be vigilant because if you are not, you lose the gains you made. Because the pie gets smaller and smaller and as soon as the pie gets smaller, you get squeezed out.

AKM: You mean, because of the economy or—?

TE: Because of the economy, and also because of the changing nature of the profession. Because nowadays, you find that the biggest opposition that professionals have today is the para-professionals—the dentists are fighting with the dental hygienists—the lawyers, they're fighting with paralegals, they want to take over everything. So you find you're being squeezed in, in different areas. So it makes it more difficult.

AKM: To make a living.

TE: To make a living, and people get more competitive, and people do not cooperate anymore. Years ago, people shared more than what they do nowadays. Because people are so protective of themselves.

AKM: Shared more income, or information or?

TE: Information, because it's the information that you need. There's still people that you work with and exchange information with. We all do that because we always like to hear the other side.

AKM: So this is about collegiality of the profession. You feel that that's less—

TE: That's really less. It's really not there. And it's sheer numbers. I think when I was called, there might have been 17,000 lawyers. Now, how many lawyers are there, about 40,000? So that's a big difference.

AKM: So the profession has dramatically changed.

TE: The profession is changing in terms of numbers but it's also changing in terms of technology and in terms of the other influences from outside.

AKM: Let's talk about that technology. How has that affected you? You mentioned the teletype.

TE: Technology has changed things. Look at real estate. Real estate was an area where people would do things manually. Real estate now is completely online—so you find that very, very few lawyers are doing real estate nowadays. So that's one area that is lost.

AKM: Did you used to do real estate?

TE: I used to do real estate, so I don't do any anymore. Then we used to have civil litigation and motor vehicle accidents. Legislation changed, then very few people are doing it because [it only applies to] catastrophic injuries. So all of that is changing. You see that happening more and more.

AKM: So these are the pieces of the pie that are cut out.

TE: Yes, so people are competing for a smaller pie.

AKM: When you were appearing before committees and being an activist, was it because you felt more empowered as a lawyer than—

TE: I think if I didn't have that law degree, I probably couldn't get in those doors.

AKM: They wouldn't let you in, or you wouldn't feel—

TE: I don't think they would let you in because, you see you have to have a calling card to get somewhere, and if the calling card has nothing on it nobody is going to take any notice of you. You know it's really interesting, I do not go around with "lawyer" written on my forehead but you'll find you get completely different treatment [as a lawyer]. I remember going to the Ombudsman's office for an interview. And when I went in there I said, "I'm Thora Espinet and I'm here to see Mr. Hill."⁵ [The receptionist] didn't bother to tell him. I asked her if Mr. Hill was going to see me, she said, "Well, he just left". So I said, "Here's my card. Can you tell him I came for the interview?" "Oh well, I didn't know that you were a lawyer. You should have said you were a lawyer." And I said, "No. I think that each person should be treated with respect whether they are the cleaner or whether they are the queen." You see? So it does open doors, but I do not use it [often]—if I need to do something, it has more impact if you are a lawyer, or if you are a doctor, some type of professional.

⁵ Daniel Hill was the Ombudsman of the Province of Ontario from 1984 to 1989.

AKM: What was your practice like in the first ten years?

TE: My practice was quite busy as a matter of fact.

AKM: Not surprised—[Laughter]

TE: My practice was quite busy. I had a lot of varied clients.

AKM: Varied as to the services or the community they belonged to?

TE: Services as well as the community.

AKM: How did you get your clients?

TE: I think at first I started to advertise. But after initial advertising, I just got them word of mouth. Even today I don't advertise. I think the first time I advertised—this was funny—the first time I advertised was sometime in the mid-80s and I got all these phone calls from people.⁶

AKM: What did you say in your advertisements?

TE: I think I had a photograph of me in the ad. People were phoning the Better Business Bureau and they were saying that I was passing myself off as a lawyer! So I wrote an article—I think I sent it to the newspaper (I can't remember which newspaper it was). The editor said to me, "I looked at this and I thought I can't put it into the paper, then I thought about it, and then I thought about it, and then I thought about it." Then he did publish it. He published that article and after the article was published I got a phone call from some Irish person who had some beef with me. I got a phone call from the school that's just across a road,

⁶ The Law Society of Upper Canada first allowed lawyers to advertise their services in 1987.

and the teacher had used the article as a project for her students. And I got calls from all these schools—to come to speak to the kids, as motivation for the young girls, and for everybody. So with this article I had an interview on the radio, all sorts of things. [Laughter] All because people were confused that I was a lawyer.

I don't think that I did these things because I was Black. I think I did these things because I find that people need knowledge and people also need to know that they themselves can speak. If you look on my resume, you see that I was nominated for my contribution to the equality of women. There was a case out in Winnipeg that started the change of the family law. We were working down at City Hall and we decided we would get a group together and what we tried to do was set up a foundation but it didn't materialize but that was what I was trying to do. So then the next thing I know somebody nominated me at City Council, for my contribution to the equality of women. [laughs] So you know, it's just something you have to do.

AKM: Did you feel that you were a feminist? Did you call yourself a feminist?

TE: I never called myself a feminist. As a matter of fact, when I went to law school somebody said, "Well, you're a feminist," so I said "I don't know any." "So your husband must be a feminist because he let you go to law school." I said "No." There's no such thing in my vocabulary. We don't even know the word. I do not do things because I'm a woman, because I'm a Black. I do things because I think it needs to be done. That is why I do it. So if I go out and I see something that's unfair, I'll complain about it. You see? And I don't think really it has

anything to do with gender. Or whatever. I think unfairness is unfairness is unfairness, regardless to whom it applies.

AKM: Do you think because you are a woman and because you're Black you understand or you can provide a different kind of quality of service to other people?

TE: I think that—I think that because I'm a woman, because I'm Black, because of my travels, I think I have a better understanding of people. You learn more by travelling than you do by sitting in a classroom. When we travel we try to meet the local people on their own ground. So we meet the real people. We do not meet the tourists which is really an artificial set of people. So when you meet the real people and you know their little values, you have a better understanding of what they're about.

AKM: Are you talking about when you went to Singapore and so forth?

TE: Yes, but not only going to Singapore, we travel to other countries, all over the place.

AKM: Recreationally?

TE: When we travel, we don't go and sit on beaches. When we travel we try to meet the local people. When we went to Mexico we met the local people. When we went to Cuba we met the local people. They show you things that tourists wouldn't see. When we went to Japan we met up with students there and they showed us what the tourists don't see.

AKM: And I suppose you learn from your clients too?

TE: Oh, you do learn from your clients, but you also learn from reading a lot. I think I take that from my parents because my mother was an avid reader. She read everything.

AKM: What do you read?

TE: I like to read biographies and I like to watch documentaries.

AKM: I don't know when you do these things. You're so busy.

TE: You know, while you're doing it, it doesn't seem as if you're busy.

AKM: Do you still have some of your first clients?

TE: Yes. If they have anything they phone me or they recommend other people to me. So I have clients that phone me and say, "Remember me?" A lady phoned me the other day, I think I had her in 1986. Of course I didn't remember her but when she started to talk, I remembered who she was. So they do come back.

AKM: And you did some duty counsel work [for Legal Aid]?

TE: Yes, as a matter of fact that was the first job that I did was the criminal duty counsel and I did that for two years. That meant I went to different courts.

AKM: How did you find that?

TE: Ummm. I found that it was really interesting. I remember that—people didn't really [Laughter]—it was very interesting. You got to meet the other

side of people. You got to realize that people are not what—the group of people that I did duty calls with, they were really, really nice people.

AKM: The people you worked with?

TE: The people I worked with. Because, remember, you're going from complete outsider, and all of a sudden you're thrown into a criminal environment. So it was different. But I think that I learned a lot. And I could also see the other side of why people did things. The problem that I find with law is that law is a very interesting area. Law is very, very flexible. People have to be able to use the law in such a way that they can not manipulate it, but they can use it. What I find with a lot of lawyers, is that they are so limited in their knowledge, that they do not understand how to use the law that they have on paper.

People say that I'm crazy. I had a client and he was from Somalia, I think, one of the countries where there was drought, always food shortages and famine there all the time. This fellow came here (this is how I could see it), he went on welfare, and he was working at the time. He got about twelve thousand dollars on welfare. And what he did, he put it in the savings account. You know what I saw? When we went to court, I said to the judge that I didn't see this man as a thief. These lawyers laughed, "I don't believe you just said that." But what I could see in this man, coming from his brain, "I come from this famine. And I come here and all of a sudden people are giving me money. I'm going to save up that money until the famine comes and then I'll spend it." And that was the submission that I made to the judge. You know, she accepted it because she could see where I was coming from. I think that's one of the problems of the law,

that people don't stop to use it. I probably sound ridiculous, but that's what exactly I argued. Because you know something, I'm sure that was what was going through the man's mind. Because he couldn't understand—"Well, they keep on sending me this money. They must need me to save it up for one day when there's no more money coming in." And that's what he did. Because if he really wanted to steal the money, he would have spent it as soon as it came in.

AKM: So your travel, your reading, your training all help you see into other people.

TE: Oh, yes, you can see things that people don't see.

AKM: What else did you learn about in the period that you were duty counsel? I think you were saying about other lawyers, is it that you didn't feel that lawyers were servicing their clients?

TE: I think that they service their clients but in certain cases I don't think they knew sufficiently about them. I remember we had a case once. This man was charged with assaulting his wife. He came to court and he denied that he had a wife. We said, "How can you say you don't have a wife, or a child with your wife?" But what happened where he came from, if he was charged with anything, they would go and they would arrest the rest of his family. So he did not want anyone to know. So he was afraid of the police. That was what the problem was—he thought the rest of his family would get in trouble.

AKM: That was interesting. Did you do criminal work inside your practice as well as as the duty counsel?

TE: Yes, I used to do a lot of the young offenders work. I like doing the young offenders because I think that I worked as a lawyer for them but more than that, I think that I also tried to be a role model for them. We used to call the young offenders, 'my kids.' [Laughter]. They were my children. I used to encourage them. Even the most difficult of them, not many of them re-offended. They have to see that there's another way. When they come in here, the first thing I'd ask them for is for them to give me their school report. If their school grade was 'D', then by the time they got to court I would—move their marks up. I would see their parents in the shopping center and they'd say, "Well, Mrs. Espinet, he's doing well at school." [Laughter]

So you see I think that helped me motivate the children. I've had parents who'd come in here and say, "He won't listen to me but he'll listen to you."

AKM: I know that you admire Mary Shadd and spear-headed getting a school named after her.⁷

TE: Yes, yes.

AKM: She was a feminist, an educator and role model.

TE: Yes, I think that people should be given the credit that they deserve, and they've earned. I think that what history shows is that a lot of people are missed out. You know?

AKM: What people?

⁷ Mary Shadd Public School, Scarborough, Ontario. See also Jason H. Silverman, "Shadd, Mary Ann Camberton (Cary)," *Dictionary of Canadian Biography Online* v. 12. Web.

TE: I think that a lot of people are doing a lot of important work but nobody knows about them because they're not taught in the school. One of the things I've lobbied for is Black history. I'm glad that now when you go into the school you'll see Black history, and they have Black history month. I think that what's been taught in the schools now is a wider range than when I came. When I first came to Canada I saw "history of Canada and the United States." I thought, "You can't teach just Canada and the United states. It's a big world." But now with the different peoples [immigrating] I think that there's a different aspect to it.

AKM: When you first came here or first studied in law school, did you hear about Delos Rogest Davis, Robert Sutherland [the first Black lawyers in Ontario]?

TE: I knew about Delos Davis. There was an organization that I was a member of, [the Delos Davis Law Guild]. I think I was the president at one stage as well [1996-7].

AKM: Of the Delos Davis Guild. Why did you become president of that? What did you want to do?

TE: I wanted to promote the Black professional within the professions. I wanted to try and get more people in the professions. So that was the type of things we did. Of course, it was also helpful for the people who were coming in, so that they knew they had someone they could talk to.

AKM: Yes, networking, mentoring.

TE: Networking was very, very important. In the Guild, you had Emmanuel Irish, Ed Searles,⁸ Peter Klein, they were all part of the Guild. They were all people that other people could phone in and talk to.

AKM: Is that how you used a network too? Did you have a group of colleagues that you would consult?

TE: Oh yes, yes.

AKM: Were they mostly people you worked with through the Guild and other organizations?

TE: Not necessarily through the Guild. I remember when I was first looking for a job and I couldn't find a job. I walked into this place and saw this sign, "Goldstein and Grubner." So I walked in there and I boldly said, "I just graduated from law school. Do you have a job?" And even today, (I was talking to my son last night about this) I don't believe what happened. Goldstein did litigation and Grubner did real estate. He really very nonchalantly, just walked up to his partner, and said, "Oh yes, this lady here, she went to University of Windsor and she doesn't have a job." He came back and he said to me, "Well, we do a lot of real estate, but I have a conveyancer. What I'm going to do is I'm going to split the work that he has and I'm going to give you half the work."

AKM: As a conveyancer?

TE: Yes. For me to close the deal. I didn't have anything to do so I said, "Yes." Then, they would call me and give little things to me. Then they moved

⁸ The first Black lawyer admitted to the bar in British Columbia, in 1957.

their office and got they bigger space (and I don't understand how this came about) but they were going around trying to find space for me to practise—and I didn't even know these fellows. Eventually they moved their office and they got sufficient space that I could come in so I shared an office with them all the time.

AKM: Was this in the '80s, shortly after you—?

TE: Yes, that was about '86. So that's where I started. They were really, really good. You look back and you think to yourself, "Why would they do that, I didn't even know them?" They were really good, because anything you wanted, any advice you wanted you could just walk across the hall and go and ask them.

AKM: Why do you think they did that?

TE: I have no idea. I have no idea. I remember I'd write letters and Goldstein would say, "Before you send the letter, come here and let me have a look." [Laughter]

AKM: So he was mentoring you.

TE: Oh yes, yes, but they were very, very kind. You know, you have your bad, and you have your good but I think basically, a lot of people are very good.

AKM: Who else was important in your early legal career? Lawyers.

TE: Lawyers, I think Miss Sinica was important. I think the lawyers that I had mentioned before, Emmanuel Irish, Peter Klein...Goldstein and Grubner, definitely were very instrumental, because I was working in their office until I came here. I came here in 2001.

AKM: A long time?

TE: A long time I worked in their office.

AKM: What about Charles Roach, who's one of the most famous Black lawyers in Canada? What kind of association, for instance, would you have had with him? Any, after being his law clerk?

TE: We still kept in contact. Charles Roach was more like—he was a mentor but he was more like a father figure. He was always giving me worldly advice, the same as Lloyd Perry would.

AKM: Because they were an older generation.

TE: Yes, yes.

AKM: What about Leonard Braithwaite?⁹

TE: I didn't know him very well. I think I met him when I was looking for a job. On [his own experience finding an] articling [position], he said he had sent out 600 resumes and he said he was going to keep them because he wanted his children to know that you don't get things by just asking, that you have to work hard for it. But apart from that, I know him to say hello to him, but I didn't have a lot of contact. George Carter as well.¹⁰

AKM: There're so many issues. How did you become involved in family mediation?

⁹ Leonard Braithwaite (1923-2012) was lawyer, called to the bar in 1958, and the first Black member of any Parliament in Canada.

¹⁰ George Carter called was called to the bar in 1949, and became the first Black Canadian-born judge.

TE: Yeah, I'm one of these people that I like to learn. And I do not like anybody to have one up on me. So—[Laughter]

AKM: So who had one up on you?

TE: Anybody, anybody. I wanted to be equipped so if there's a need to do something, I could do it. So I did my mediation [training]. At that time there was a lot of mediation and I think there should be more, especially in family law. Really, I'm not seeing it. So I think you have to go wide and deep. You need the knowledge because it all applies to being a lawyer. I have done these full-day seminars on mental health as well, because I have clients that have mental health problems. I want to go there and sit and listen to some psychiatrist saying these are the things I could look for.

They have a conference here every year and it deals with mental health in ethnic groups.¹¹ The one I attended last year was very interesting. A lady from Sri Lanka was there and that's very important because we're getting a lot of people nowadays from very different groups. We're just not getting English-speaking people, from the West Indies or from England. We're getting people from cultures that are completely different and their views on things are different. It's important that you understand mental health from the way an African would look at mental health as opposed to the way a West Indian would look at mental health. Or Sri Lankan persons would look at mental health differently compared to the North American people. In the United States it was fashionable for

¹¹ Across Boundaries conference.

everybody to have a psychiatrist. In other cultures, when you go to a psychiatrist, they think that you're crazy.

You have to be able to get these differences across. I remember, we had a case and the people were from South America. The case was just resolved a couple of weeks ago. They kept on saying to them that you need to go for counselling. All the time these people said, "But we're not crazy, we're not going for counselling." I sat down and I explained to them exactly what it was about. So they understood why. But all their lawyer was saying to them was, "Well, you need to go to counselling. The Children's Aid needs to see you go for counselling." But they didn't understand. There was no indication that they were mentally ill, but they needed it.

AKM: So this is about not enough cultural knowledge of these groups coming in. I guess its too early, in that they're not producing their own lawyers, either.

TE: That's so true.

AKM: But you feel a responsibility.

TE: I think you have a responsibility to go and find out about the people that you're dealing with. If you can't, then get somebody who can. That's what I find [is not] happening with the Children's Aid Society today. I do a lot of child welfare, and that is what I find that happens. The people who are dealing with [the immigrants] do not understand the cultures with whom they're dealing. Although the Act might say something, practice is not the same. For example,

when [the Act] talks about sensitivity and having an understanding about the people that you deal with, I can give you an example that goes straight across the board. Most of the people that are with the Children's Aid Society are low income people. So the Children's Aid will take ten year olds from a low income Ontario housing type of environment and they will put them in a big "castle." They will give them pocket money, say ten dollars a week. Well, when that child goes back to his mother—she can't afford to give him ten dollars a month, she can't afford to give him pocket money. So while they're trying to help the child here, they're destroying the complete family outside. Because they are building up needs for the child that cannot be met when the child is returned.

AKM: How do you think this should change?

TE: I think [pause] the government needs to talk to the people who they are dealing with about the things, laws they are putting in. Yesterday I was talking with one fellow who was saying that they have now a Section 144 [of the Child and Family Services Act] that says as soon as a crown wardship is made, they should cut off all access to the parents. But what this does is, you might be saving somebody here or you think you're saving someone here, but you've destroyed everything for the future. Because what happens is that they set up a dependency. When these kids leave the Children's Aid Society, they've lost their connection with their family and they've lost their connection with their community. So what they do is they either go and take drugs or they join a gang.

They're was a girl in court yesterday and her baby was taken away by Children's Aid. I said to her, "Well, why don't you call someone to help you?" She

said, “Well, I was a crown ward.” The moment she said she was a crown ward I knew exactly why she didn’t have anybody to call to assist her. When she was stressed, she called the only person she knows, whose really not the person going to help her—she called the Children Aid’s Society. So when she called the Children’s Aid Society because she was stressed, the Children’s Aid Society decided to take the position that she’s abandoned your child. So now she’s coming into to court to fight for her child but all she wanted was a break because she has nobody else. But if they hadn’t cut all her ties completely, she would have been able to find somebody to help her. So while they’re thinking they’re helping someone here, they don’t look beyond what they are doing.

AKM: This is the issue of the narrow definition of laws and they are not looking into the human context.

TE: Yes, and it ends up costing society more.

AKM: Do you think community organizations play an important role now?

TE: I think they do but a lot of community organizations depend on government funding, and I think that money is drying up as we talked about—the pie is shrinking. The money is drying up. Although they want to do a lot of things, they are not able to. The resources are not there.

AKM: And you mentioned too that inner resources are not the same.

TE: Yes. The end result is going to be, if you don’t put in money at this end, you’re going to be putting the money in the other end.

AKM: I read a quote from you, I think it was in '94, and you were appearing in front of a government body, and it was to the effect that you did not believe that there should be a separate justice system based on race in Ontario.¹² I don't know if you remember that comment or that issue? [You did not agree with] a structural set of institutions based on race.

TE: Yes. I can't remember that quote now. I think you have to try and incorporate [people into] a society. If people are in close society, they should try to become a part of the society. When I was at York University, I wrote a paper that was about multiculturalism. I'm a Jamaican person. I was born Jamaican. Jamaicans have their own little things, they have their own music, they have their own food. Nobody prevents me from having my own music, my own little food. Or if we had a language, nobody prevents me from using my language as well. But at the same time, you have to be very careful on how you use these things, because it could be a means of holding you back.

One example I used (we were talking about it last night) was Ebonics, that was the Black language in the United States. If the language of upward mobility is French, and if you come into a country and they only speak French, and you do not speak French, how do you expect to move yourself up? So you really have to get in there. I still think there's inequity in the system. I think that there should be more Black people moving up because they do have the qualifications, and I think when we do get into something we try to work hard at it too. I know

¹² Ontario, Legislative Assembly of Ontario Debates, 22 November 1994, Cameron Jackson on proposal by Harriet Tubman Association for a separate justice system on the basis of race, quoting Thora Espinet, "I don't want different treatment; I want equal treatment." Legislative Assembly of Ontario. Web.

that that is there, but I do not think that this is necessarily remedied by creating a separate justice system. Because the end result (and again we go back to funding), the end result is that multiculturalism is ghettoism, meaning that you could get yourself locked in, yes, into segregated society. Yesterday we were talking about that in court. I said, I think that the most important thing a person has is their language but you also have to realize that—if you do not speak the language [of the majority], if you can't speak the language to make yourself known and understood, it's the same as if you're blind. Because when you go into the hospital and it's an emergency, nobody knows what you're talking about. So I think it is important. So you have to be careful how you use these institutions. Nobody is taking away what you have from you, but you just have to use it in the way that it's fair for everybody.

AKM: Do you think that that process of splintering is happening in the legal profession?

TE: I don't think splintering is happening in the legal profession because what I see when you go to court, is that everybody has all sorts of clients. So I don't think that that is really happening. What I would like to see is some better understanding on the bench about what happens in communities. I do not think that it's enough for a judge to sit there and just make decisions based on what is there. The judge needs some more foresight, or some more knowledge about the people with whom they deal and I don't think that it's there.

AKM: Do you think that be should be through judicial education?

TE: I think it should be through judicial education. Years ago, when I first came into this system, they didn't know about sickle cell anemia. I remember, we had a case—Black children were being taken away because it's sort of a Black disease, (Mediterranean people have it too, but it really is mostly Black)—people's children were still being taken away from them.

AKM: They were attributing the symptoms to abuse or neglect?

TE: They were attributing it to neglect, because the children were sick. So, there was the Sickle Cell Association, and I went and got a fellow and he attended court and he told the judge what it was all about. We had pictures and everything. I think Sick Kids Hospital was the only place that they did tests for sickle cell. The judge adjourned the case and said that everyone from Children's Aid should go down to Sick Kids and look at it. But nobody had that knowledge. Nobody had that knowledge. So it needs somebody there to be able to see that that was happening.

So these little things that—

AKM: —are huge.

TE: That are really huge things. The Children's Aid thought that the child had anemia, so they were giving him iron. And the fellow [from the Sickle Cell Association] said that the iron could bombard the cells and the child could die. So you need to have that knowledge. You need to know why somebody is doing something. We had a kid once—this case infuriated me so much that I don't know how I got on this panel to speak to the association of Children Aid's

Societies, all fifty-three of them. What had happened was about these two little kids who came from a country where the women go covered from top to toe. So here come these little boys, ten and eleven. They go and they see the mannequins in the shop windows. The mannequins are so funny, they have legs! So these kids were playing with them. The Children's Aid listed the children as sexual predators. I completely lost it. I completely lost it. I said, "Can't you see why these children are behaving like that? They are not used to seeing women with their legs out." I was in court one day and this little kid saw my legs and this little kid was playing with my legs, because she's never seen her mother's legs! So this is the type of misunderstanding—I don't expect people should know everything but if you don't understand, ask. There's always somebody for you to ask.

AKM: I guess it's about assuming that there is a reason for people's behaviour.

TE: And they jump to the wrong conclusion all the time.

AKM: Now you're a Deputy Judge in Small Claims Court. How is that?

TE: It's fun. It's different from family law. You learn a lot. Every day you go it's a different day. It's a different case. We have settlement conferences and it could be seven different cases. It might be somebody with problems with board fences. It might be somebody with some problem with a roof. It might be somebody who hasn't been paid. All sorts of different cares. It might be somebody on internet advertising. Employment. Wrongful dismissal. And now we

have far more to do because the superior court has loaded a lot of things on us.
So we have far more.

AKM: You have a higher cap now.

TE: Yes, the higher cap. So we get a lot more of that type of work.

AKM: The same principle though? Understanding what's going on is key?

TE: Oh, yes. I think you need to know the law but you have to work the law within an understanding of what's happening.

AKM: How do you think Small Claims Court serves people of visible minority, compared to other courts? Is there a difference?

TE: I don't see a lot of visible minority coming into Small Claims Court.

AKM: They don't use it?

TE: I don't know if they don't know about it but you don't see that many. But I think that it affects people differently. Because if you have to add that 5 and 5 is 10 and not 9, that is a straightforward thing. So I don't think that whatever affect it has, it's as detrimental as the affect from something like child welfare.

AKM: It's a straight monetary—

TE: Yes, it's a straight type of monetary type of thing.

AKM: I think that your work on the pension review tribunal must have been really interesting. Tell me about that.

TE: Yes, it was very interesting. Being on that board and being on the tribunal, that meant that you are an adjudicator of sorts. Because you listen to the

evidence, you listen to the evidence of the appellant, and you listen also to the evidence of the minister and you have to review the medical evidence. So I think that I picked up some medical knowledge and I did that for eight years. [I was the lawyer on the tribunal and] the lawyer was the one who conducted the hearing and also wrote the decisions. So we had thousands of decisions you had to write. We used to have three cases a day, for three days a week. We had a lot of cases. It involved travelling across the country. The only province that we didn't go to was Quebec because Quebec had their own system. But that was interesting as we met people from all over the place.

AKM: So who would you be associating with? Who would be your colleagues?

TE: The board was made up of one medical person, one public member and one lawyer. So that was the tribunal. Then the appellant person would be the person who was appealing the decision that was made. And then you would have the Minister's representative and they would defend the decision that was made by the Minister. So you had to look at the evidence presented by the Minister, the evidence presented by the client and then you had to make a decision. After hearing all the evidence you made the decision.

AKM: So you had your private practice at the same time. How did you manage that?

TE: During the days I did the tribunal, I just didn't have any office work. So you would just work it in, the same as you work everything else in.

AKM: And speaking of working in things, how many children do you have?

TE: I just have one.

AKM: Just Ian. How did you manage to raise him, being as busy as you were as a lawyer and an activist.

TE: Well, I don't know if you call it activist, I just know that I saw things that had to be done and I went and did it. When I was going to law school, I sent Ian to England to my parents. So he was in England when I was did my articles. When I started practising, Ian used to do a lot of things with me like voluntary work. Ian was doing voluntary work when he was four years old. In the '80s, they were trying to open a native school. I remember what it was called. It was called, Wandering Spirit School and I helped them in that. For Christmas, we used to do dinners for them. Ian, at four years, used to give out the juices. To be quite honest, we used to go to the Native Center a lot. They are the nicest people I've ever come across. When we were dishing out the meals for them, he was the one responsible for handing out the juice and not one of those adults would come and take something. They would always ask that kid for it. And I thought that was great.

AKM: Respect.

TE: Yes.

AKM: So when I think of your life and involvement, you certainly haven't restricted it to your community of origin -- not just Black or just visible minority.

TE: No, no, no, no no. I used to go to the jails to visit native people. I used to go down, get on my bus and go down and talk to them. Like I said before, I think that unfairness is unfairness, and injustice is injustice. People need help and it really doesn't matter who those people are. So it didn't really make a difference to me.

AKM: You really are a path breaker. What are you most proud of, of many things that I think you might be proud of?

TE: I don't know. [A long pause]. You know, it's hard to say you proud of one thing as opposed to the other.

AKM: Well, feel good about, just something, it doesn't have to be the top one. It's hard to do lists like that.

TE: Yes, it's very hard to do lists. I think I am proud of what I do on a daily basis. I'm happy when I'm able to help somebody else. I seem to feed on that. And that's sort of a family trait that we have. What I would like to do more, I would really like to help more but the resources aren't there. If I stopped working tomorrow, what I'd like to do is be an advocate for people. Like they have these advocates in the hospitals. They need people like that. That's what I would like to do for people. Because a lot of people can't do the work for themselves. That's what I feel good about.

AKM: So, law was the right choice for you?

TE: I think law was the right choice for me because I got it both ways. If I went into teaching I couldn't practise law, but when I do law, I can still teach. So I think I got it both ways.

AKM: And especially private practice where you're not going to get bored. You mentioned about your practice changing. We covered technology and we covered that you don't do as much criminal work now, it's more family. What else has changed? Your clients?

TE: The clients have changed in that we're seeing a lot of people with very, very different cultures that we didn't really have in the '80s. You're seeing more people who are really distressed, because a lot of people that we're seeing now are also people coming from current war zones. I remember I had a client once and I phoned an organization called Victims of Torture and War. I located it for a client that I had, who was a victim of the war. We also have a lot of people who are coming from Somalia who also have that aspect of them. I think you have to be able to see what that is doing to the person. Like someone will say to me, "Why is the child ten and he can't read?" Hello? He was in a refugee camp! "Why is this kid hoarding food?" Hello! - four of his mother's siblings died of starvation, so that's why he's hoarding food. So you know, it's a different type of people we're seeing everyday. Their needs are greater than they were in the '80s.

AKM: Frustrating.

TE: We still don't have the resources to treat this. It's unfortunate, you know. I think that it is probably short-sighted to say to people that you can come

[to Canada] when you really do not have the resources to help them. Because they need more.

Years ago we tried to set up sort of a transitional program. There should be something that's set up at the consulate overseas that says to them, "These are the rules when you go to Canada." What we do find nowadays is that for a lot of people, their means of disciplining their children is by hitting them. So you get off the boat yesterday, and people are keeping their children by themselves all the time because you live in a community where everybody knows everybody else. So you leave the child at home. The lady next door calls the Children's Aid and they take the child away. You hit your child because your child is misbehaving. They take your child away. And people will say, well, who owns the child? Instead of doing that, they should be teaching people that this is not the method of disciplining that we use here. Not after you've taken the child, completely traumatizing everybody, and then you explain to them in a paper that you were physically abusing your child. We should be starting it there and that would save money and the resources so that you can use it for things that really need it.

AKM: Do you think that people have ridiculously high expectations of Canada when they come now?

TE: I think that they do, but I think it's partially because of the news media.

AKM: How it's portrayed in their home [countries]?

TE: Yes, how it's portrayed. You know, everybody wants to look good. So everybody thinks that things are so easy here. And things are not easy. Canada is not very easy. You know, when I was coming here, they said that, "If you make it in Canada, you can make it anywhere." Well, some people can't make it. But you have to be aware of what you're coming to. If you come to my country and you say to me that you have a law degree, and the law degree gives you twenty points, and everything else gives you less than twenty points, I obviously think I'm going to be able to utilize my law degree when I get here. But to get here and somebody tells me you don't have Canadian experience, it's really a shock. You have to realize these people have given up everything they have, and they won't go back because if they go back they'll be seen as a failure in their community.

AKM: So your experience as an immigrant also facing some of these nasty surprises, helps you understand your clients today.

TE: Oh, yes. But it wasn't as bad for me as it is for a lot of people, because I came from England and I didn't have to go through what other people are going through. Because I came and I had a job as I said to you. So by the time I had to move I had the Canadian experience that everyone was asking me for. Because I didn't understand it. If I knew what it was I would have bought some somewhere. [Laughter].

AKM: You say your son's an engineer?

TE: No, my son is a graphic designer.

AKM: So, what other lawyers are there in the family? Any?

TE: I think I'm the only lawyer in the immediate family. I think they have this thing about engineers in the family. But I have sort of second cousins who are doing law.

AKM: And would you encourage your people to go into law now?

TE: I would encourage them to go into law, for the reason that law is a stepping stone to other things. But in terms of the profession, I don't think that the profession is getting any better. I think if anything, the profession, especially for small lawyers, is not the best place to be working.

AKM: Making a living, for instance.

TE: Because a lot of lawyers out there are not making a living. But the law degree itself—the interesting thing about law is that if you were doing a case on medical malpractice, you learn everything about medicine. So it's so good that you can learn so many different things just by having that profession. And it's a stepping stone to so many places. As you probably know, most of the people in the government are lawyers. Most of the CEOs are lawyers. So you know, it's really a good degree to get. It's how you utilize it, and if you can get into the areas where you can utilize it.

AKM: I think when you attended [law school], there were so few Black lawyers, right? Very, very few. And now I think there's one Black lawyer for every 750 Black people, according to the latest report I read. But Black people are going more slowly into law as opposed to Aboriginal, Chinese or many other groups. Do you have any comments about that?

TE: It's so funny. When I go to courts these days, I see all these new faces. I've never seen them before. There seems to be a lot of lawyers and it depends where the concentration is. Because if you go to Toronto, and you go to Brampton, you see a lot of Black lawyers but I think that's not straight across the province. So in that respect, there might be too many concentrated in one little area. Because you have to remember that Black people don't go just to Black lawyers. And even if a Black person went to a Black lawyer, I still think that with the number of lawyers I see out there today, the community would not be able to support them. If that was the only people they were depending on.

AKM: Absolutely. Do you have a motivational wall [like your mother's]?

TE: I think that when my clients come in here I show them those things [pointing to a wall in her office with framed documents]. I say, "Do you see those things there? They just didn't walk and sit there. I had to work to get them." And those are just my degrees.

AKM: I'm counting, one, two, three, five, six, seven, eight, nine, ten, eleven, twelve, diploma, certificates and so forth. That's amazing.

TE: My brother – I've never seen a person with so many certificates. I think my brother had every certificate that was given out. I think that every course that came out my brother went and took it. [Laughter]

TE: [Laughter] ...[With regards to] young people, I think a brain is a terrible thing to waste. And if we have a system that tell people that they don't have to do anything for themselves, they will [waste it]. We have a system, we have legal

aid, we have the social services and they give people everything. And they really don't know what happens behind it. So, sometimes I have cases and I let my clients come in and I let them see what I'm doing. So I say to them, "Now I have to put this book together, and I want you to do the photocopying," so they get an appreciation of what you have to do. They also get a better understanding of how life is. Because life is not that you just sit there and get taken care of. I think there should do more of that. And it also encourages them to want to go out, especially if they're young and I see that they still have a brain. Because at twenty-three you shouldn't be collecting welfare if there's nothing wrong with you. You should be out there getting an education. So it's maybe an unconventional way, but it works. They appreciate what you do and they also see that probably they should do something for themselves.

AKM: And to that extent, that's why you've been involving students. I don't know the name of the program—

TE: They have a core program in the schools and all the kids have to do a certain number of [hours of] corporate work in an office. I think what's good about that is that if they have a career goal that they are looking at [in a profession], then they work in the a law office or a doctor's office or whatever. I know I've had a lot of students in my office.

AKM: You said something like 500?

TE: Oh gosh, I've had all these students. I don't think teaching is only in a classroom. I don't even remember who these students are. But sometimes I get

a phone call. The other day I was out at court and one said, “Oh, Mrs. Espinet, do you remember me?” You forget about who these kids are!

AKM: But you were unique in their lives.

TE: Oh yes, and they remember. I got a call the other day from Sudbury. And she said, “Do you remember me?” I’m thinking, “Well, who are you?” She said, “Well, remember you told me this and you told me that.” [It was from when] I used to do motivational speaking. I spoke to a group at the University of Toronto. They had a program there called the Association for Blacks in Health Sciences. They tried to encourage native people and the disadvantaged groups to get into law. What I said to them at that time, was that basically a lot of young people are very angry. I remember saying to them, “He who angers you, conquers you.” The next day, I went out and heard this person say, “Oh, that was the lady who told us that he who angers you, conquers you.” [Laughter] But then because I used to go and do these speeches, I know all these kids. One lady who was at the court in Scarborough, says, “It was because of you I went into law.”

And I thought, “I don’t even know who you are.” But she said, you came and spoke in my school. So I just go to these schools and speak to the kids. And the kids like to see somebody that’s doing something.

So that’s my little life! [Laughter]

AKM: Not so little. [Laughter]

AKM: I also wanted to ask you about the African Canadian Congress. I think you were the president and founder. What was that about?

TE: That was a sort of political organization that spearheaded all those others things that we were doing like employment equity, things for the schools and things like that.

AKM: You must be very good in getting people to work with you?

TE: It's funny because I remember Charles Roach said that once, that I'm good at getting people to do things. But I don't sort of take the lead, I just say to them, "This is what we are to do," and people will do it if they feel they are not being pressured. So I think that while you are taking the lead, and you have to be a leader, you do not also want to be a stumbling block. Because then people resent you and they won't do things.

AKM: Respecting other people's choices. So how has being a lawyer shaped your family life or your social life? Or has it?

TE: Ian will tell you that it has and my husband will probably tell you it has, but I don't think that. Ian will tell you that all I talk about is law, but I don't think that's the case at all. I have managed to keep my law separate from my home. I will not take work home, under no circumstances. I'll take work home if it's staying in the car, but I won't work at home. That's why I don't have a computer at home. People think that I'm really weird, but I don't want anything to force me to work. So, I can really separate my home life from my office home. I can stay in this office if there was any need, I can stay in this office until two o'clock but I'm not going to take that work home. So I've been able to divide that.

AKM: And what does your husband do for a living?

TE: Well, he works in my office now but he's in England at the moment.

AKM: Aha. So you keep ties to England and to your brothers and sisters and cousins.

TE: Yes, yes.

AKM: Amazing. I have enjoyed talking with you so much and hearing about your career but I may have some more questions later that I hope you'll answer for me.

TE: [Laughter] Yes. Okay.

AKM: Is there anything else that you would like to add, some reflections about your life, and the law?

TE: (pause) I think that I'm glad that in the end I chose to do law. Because I think that what it does, it helps you to get through doors where you wouldn't get into ordinarily. I think that has helped me. This is what I know, because this is what I do. I don't know if I got into teaching I would have found it the same. But probably I would, because if I'm doing it on a day-to-day basis, then I probably would. I do enjoy it. And the other aspect that I do enjoy is my community involvement.

I'm now in organization called the People Bridge Foundation and in that foundation we are supporting projects overseas. At this time, we are doing a project called the Warrior Welders. This is for disabled people in Africa, in Dar es Salaam. What they do is pick up metal all over the place, they collect metal and make it into sort of ornaments and sell it so they can have some means of

supporting themselves. Then we have another project that's in India for TV. So these are some things we try do to. We get different projects on the go. I still do voluntary work. I've been doing this for all the time I've been practising. At Agincourt Community Service they a community clinic. They have lawyers working all the time, and I've been doing this since 1984. I do not have the heart to say no to them— I can't retire! [Laughter] So once in awhile you go there and people come in for legal advice.

AKM: Amazing.

TE: So, I keep myself busy. [Laughter]

AKM: On that note, I want to thank you.
